

New Hearing
WASH. POST
**Is Ordered
In Spy Case**

The Fourth Circuit Court of Appeals has ordered a new hearing into the case against German emigre Peter Heine, who was accused by Central Intelligence Agency secret agents of being a Soviet spy.

Objectives of the hearing is to determine whether the CIA agents' court claim of acting on the orders of a responsible official of the Agency or an "unauthorized" underling.

Chief Judge Clement F. Hayworth vacated an earlier ruling in favor of Heine and asked that the district court in Baltimore find out who in the CIA ordered Raus to accuse Heine of serving as a spy. He said the identity of the official need not be disclosed publicly.

The appellate judge in a 13-page majority opinion filed Monday upheld the lower court's finding that the CIA had the right to order Raus to carry out the campaign against Heine.

In the trial two years ago CIA Director Richard M. Helms acknowledged that Raus was an operative of the Agency and that the action against Heine was justified on the basis of information in the hands of the CIA.

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